

REMARKS

This Reply and Amendment is intended to be completely responsive to the Non-Final Office Action. Claims 1-62 are pending in this Application. Claims 36-47, 60 and 61 have been allowed. Claims 1, 3, 27, 28 and 31-33 currently stand rejected. Claims 2, 4-26, 29, 30, 34 and 35 are objected to. Independent Claim 1 has been amended to recite a combination of subject matter that the Applicants believe is allowable and overcomes the rejections. Dependent Claims 4, 6, 14, 18, 22 and 30 have been amended to independent form and include all the limitations of base independent Claim 1. Dependent Claims 2 has been canceled without prejudice to further prosecution on the merits.

The Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and in view of the reasons that follow.

Allowed/Allowable Subject Matter

In Section 6 of the Office Action, the Examiner stated that “Claims 36-47 and 60-61 are allowed.” The Applicants thank the Examiner for the indication of allowed subject matter.

In Section 5 of the Office Action, the Examiner stated that “Claims 2, 4-5, 6-26, 29-30 and 34-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” The Applicants thank the Examiner for the indication of allowable subject matter.

The Applicants have amended independent Claim 1 to include the subject matter recited in dependent Claim 2, as indicated by the Examiner to be allowable, and have canceled dependent Claim 2 without prejudice to further prosecution on the merits. Dependent Claims 3, 16 and 17 depend from independent Claim 1 as amended and are believed to be allowable.

The Applicants have also amended dependent Claims 4, 6, 14, 18, 22 and 30 to independent form, including all the limitations of base independent Claim 1.

Dependent Claims 5, 23-29 depend from independent Claim 4 as amended and are believed to be allowable.

Dependent Claims 7-13 depend from independent Claim 6 as amended and are believed to be allowable.

Dependent Claim 15 depends from independent Claim 14 as amended and is believed to be allowable.

Dependent Claims 19-21 depend from independent Claim 18 as amended and are believed to be allowable.

Dependent Claims 31-35 depend from independent Claim 30 as amended and are believed to be allowable.

Accordingly, the Applicants respectfully request reconsideration and allowance of independent Claims 1 and 3-35.

Claim Objections

In Section 2 of the Office Action, the Examiner objected to Claims 17, 27-28, 38 and 44-46 because of the following informalities:

Claim 17:

The Examiner stated “with regard to claim 17, should the ‘lowered position’ be – upper position—“?

The Applicants respectfully submit that the reference to the lowered position is correct (in the context of the “upper most floor”), and refer to Paragraph 0023, lines 20-24 which recite: “floor 58 ... is approximately 44 inches above ground 86 when in the lowered position shown in FIGURES 3 and 4. Floor 70 of compartment 56 is no greater than 15 inches off of ground 86 and is approximately 13 inches off of the ground 86 when storage structure 44 is in the lowered position.”

Accordingly, the Applicants respectfully request withdrawal of the objection to dependent Claim 17.

Claims 27-28:

The Examiner stated “with regard to claims 27-28 the recitation ‘the guide’ lacks antecedent basis.”

The Applicants have amended dependent Claim 27 to depend from dependent Claim 24 (which recites “a guide”). Dependent Claim 28 depends from dependent Claim 27 (as amended).

Accordingly, the Applicants respectfully request withdrawal of the objection to dependent Claims 27-28.

Claim 38:

The Examiner stated “with regard to claim 38 the words ‘a rear’ have been positively recited in claim 36.”

The Applicants have amended dependent Claim 38 to recite “the rear”.

Accordingly, the Applicants respectfully request withdrawal of the objection to dependent Claim 38.

Claims 44-46:

The Examiner stated “with regard to claims 44-46 the words ‘the linear axis’ lack antecedent basis.”

The Applicants have amended dependent Claims 44-46 to recite an “inclined axis”.

Accordingly, the Applicants respectfully request withdrawal of the objection to dependent Claims 44-46.

Claim Rejections – 35 U.S.C. § 102(b)

In Section 3 of the Office Action, the Examiner rejected Claims 1, 3, 27 and 28 as being anticipated by Kohler (USPN 4,844,490) under 35 U.S.C. § 102(b).

Claim 1 is independent form. Dependent Claim 3 depends from independent Claim 1 (as amended). Claim 1 recites (in combination with other elements) that “the storage structure extends beyond a rear of the vehicle in the lowered position”. The Applicants respectfully submit that Kohler does not disclose, teach or suggest a combination of features including a “storage structure [that] extends beyond a rear of the vehicle in the lowered position.” Accordingly, the Applicants submit that Claim 1 (as amended) and dependent Claim 3 are allowable, and respectfully request withdrawal of the rejection and allowance of Claims 1 and 3.

Dependent Claims 27 and 28 now depend from independent Claim 4 (as amended). Claim 4 recites (in combination with other elements) that “the storage structure moves along a linear axis from the raised position to the lowered position”. The Applicants respectfully submit that Kohler does not disclose, teach or suggest a combination of features including a “storage structure [that] moves along a linear axis from the raised position to the lowered position.” Accordingly, the Applicants submit that Claim 4 (as amended) and dependent Claims 27 and 28 are allowable, and respectfully request withdrawal of the rejection and allowance of Claims 27 and 28.

Claim Rejections – 35 U.S.C. § 103(a)

In Section 4 of the Office Action, the Examiner rejected dependent Claims 31-33 under 35 U.S.C. § 103(a) as being unpatentable over Kohler.

Dependent Claims 31-33 now depend from independent Claim 30 (as amended). Claim 30 recites (in combination with other elements) that "the storage structure includes a substantially horizontal floor portion and an inclined floor portion extending from the horizontal floor portion". The Applicants respectfully submit that Kohler does not disclose, teach or suggest a combination of features including a "storage structure [that] includes a substantially horizontal floor portion and an inclined floor portion extending from the horizontal floor portion." Accordingly, the Applicants submit that Claim 30 (as amended) and dependent Claims 31-33 are allowable, and respectfully request withdrawal of the rejection and allowance of Claims 31-33.

* * *

The Applicants respectfully submit that each and every outstanding objection and rejection to the pending claims has been overcome, and that the Application is in condition for allowance. Claims 36-47, 60 and 61 were previously allowed. The Applicants respectfully request reconsideration and allowance of pending Claims 1 and 3-35.

The Examiner is encouraged to contact the undersigned by telephone if the Examiner believes that a telephone interview or Examiner's Amendment would advance the prosecution of the present application.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By



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